

**UNITED STATES DISTRICT COURT**  
 for the  
**Southern District of Texas**

United States of America	)	
v.	)	
<b>Andres ANDAVERDE III</b>	)	Case No.
<b>Angel ANDAVERDE</b>	)	
	)	
	)	

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*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 22, 2019 in the county of Jim Hogg in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*  
 8 USC 1324

*Offense Description*  
 Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

Continued on the attached sheet.

/S/Joshua Steele

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*Complainant's signature*

Joshua Steele, Border Patrol Agent  
*Printed name and title*

Sworn to before me and signed in my presence,

Date: December 26, 2019

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*Judge's signature*

City and state: Laredo, Texas

Sam Sheldon, U.S. Magistrate Judge  
*Printed name and title*

**AFFIDAVIT**

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Andres ANDAVERDE III and Angel ANDAVERDE

Case Number:

1. On December 22, 2019, at approximately 1:14 PM, Border Patrol Agents (BPAs) working in the Hebbronville, Texas, in Jim Hogg County area received a phone call from the Department of Public Safety (DPS) requesting assistance for one of their Troopers that conducted a traffic stop on a green Nissan pickup truck for a traffic violation on State Highway 16.
2. Once on scene BPAs observed the front occupants and three individuals in the rear seat. BPAs performed an immigration inspection on all the passengers inside the vehicle. It was determined that the driver, later identified as Andres Andaverde III and the front passenger, later identified as Angel Andaverde were both United States Citizens. The rear passengers were illegally present in the United States with no legal documents to remain in the United States. All subjects were placed under arrest and transported to the Hebbronville Border Patrol Station. DPS Trooper issued Andres Andaverde III a citation having dark tint on the vehicle windows, no driver license, and failure to maintain financial responsibility.
3. Andres Andaverde III (Andaverde III) was read his Miranda Rights by BPA and witnessed by BPA. Andres Andaverde III acknowledged his rights by signing service form I-214 but refused to answer any questions at that time.
4. Angel Andaverde (Andaverde) was read his Miranda Rights by BPA and witnessed by BPA. Angel Andaverde acknowledged his rights by signing service form I-214 and was willing to answer questions without an attorney present.
5. Angel Andaverde stated that he was woken up this morning by his brother Andres Andaverde III and asked him to ride with him to San Antonio, Texas to take care of some business. Andaverde stated that his brother Andaverde III was going to pick up three subjects and take them to San Antonio or Houston. Andaverde stated that he knew that the people were illegal aliens. Andaverde stated that his brother offered him part of his cut but he refused to get paid and that he was going with him just to make sure that he was safe. Andaverde stated that his brother told him that he was dropping them off before the checkpoint. Andaverde stated that his brother told him that they may get in trouble. Andaverde stated that he thought his brother was using a GPS to know where to drop the subjects. Andaverde knew that transporting illegal aliens is a crime.
6. Material Witness, Jalber Manuel Lopez Perez, stated he is a national or citizen of Guatemala, and he made arrangements at the border to pay \$7,000 USD to be smuggled into the United States to his final destination in Arizona. Lopez Perez stated that once he crossed illegally into the United States, he was taken to a house in Roma, Texas where he was picked up at around 10 in the morning by a dark color 4 door pickup truck. Lopez Perez stated that there were two people in the rear seat of the pickup truck. Lopez Perez stated that the driver knew that he was illegally present in the United States. Lopez Perez stated that the driver dropped them off along the highway and told them to wait in the brush for his call to be picked up again due to law enforcement presence. Lopez Perez stated that they waited approximately 30 minutes in the brush then they were picked up by the same driver and passenger in the same pickup truck. Lopez Perez was able to identify the driver in a six photo lineup.
7. Material Witness, Henry Roberto Chavez Gomez stated that he is a national or citizen of Guatemala and his cousin made arrangements and paid \$1,000 USD for him to be smuggled illegally into the United States to his final destination in Houston, Texas. Chavez Gomez stated that he crossed the river by raft and then he was instructed to go to a house. Chavez Gomez stated once at the house they were instructed to get into the back seat of a black pickup truck. Chavez Gomez stated that the driver instructed them to crouch down before arriving to the immigration checkpoint. Chavez Gomez stated that the driver told them that he was taking them to Houston, Texas. Chavez Gomez was able to identify the driver in a six photo lineup.

SUBSCRIBED and SWORN to before me on

26th day of December, 2019

Signature of Judicial Officer

/S/ Steele, Joshua Border Patrol Agent

Signature of Complainant